

In re Patent Application of

Atty Dkt. 1579-804

C# M#

HAYNES et al

TSA.U.

1648

Serial No. 10/664,029

Examiner: Stucker, J.J.

Filed: September 17, 2003

Date: April 8, 2005

Title: IMMUNOGEN COMPRISING AN HIV ENVELOPE PROTEIN, A LIGAND AND H2
PEPTIDE (AS AMENDED)Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 180.00

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

TOTAL FEE ENCLOSED \$ 180.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

ifw/14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of

HAYNES et al

Serial No. 10/664,029

Filed: September 17, 2003

For: IMMUNOGEN COMPRISING AN HIV ENVELOPE PROTEIN, A LIGAND AND H2 PEPTIDE (AS AMENDED)

Confirmation No. 2598

Atty. Ref.: 1579-804

Group: 1648

Examiner: Stucker, J.J.

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 8, 2005

Sir:

INFORMATION DISCLOSURE STATEMENT

- ☐ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**
[within 3 months of filing or prior to 1st Office Action on the merits]
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
N/C
- ☒ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**
[after Final Office Action or Allowance (requires Rule 97(e)
Statement and Rule 17(p) fee), but before final fee payment]
\$180.00

The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of docs on Form PTO-1449 w/copies (where required) of each doc. and translation or concise explanation of non-English docs. (e.g., Search Rpt.) is enclosed (Cruse et al was cited by the Ex. in related Appln. 10/646,729 – a copy is not attached as no copy is in Applicants' file).

This paper is submitted in accordance with:

- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☒ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier];
and
 - ☐ a) The required Statement made in item 8 below; or
 - ☒ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
 - ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith;
and
 - ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
 - ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
 - ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

HAYNES et al
Serial No. 10/664,029
April 8, 2005

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: Mary J. Wilson
Mary J. Wilson
Reg. No. 32,955

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

INFORMATION DISCLOSURE CITATION

ATTY. DOCKET NO.

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1579-804

10/664,029

APPLICANT

HAYNES et al

(Use several sheets if necessary)

FILING DATE

GROUP

September 17, 2003

1648

U.S. PATENT DOCUMENTS

[illegible]

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[illegible]

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	Kwong et al, "Structure of an HIV gp120 envelope glycoprotein in complex with the CD4 receptor and a neutralizing human antibody", Nature 393:648-659 (1998)
	Wyatt et al, "Involvement of the V1/V2 Variable Loop Structure in the Exposure of Human Immunodeficiency Virus Type 1 gp120 Epitopes Induced by Receptor Binding", Journal of Virology 69(9):5723-5733 (1995)

***Examiner**

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

**INFORMATION DISCLOSURE
CITATION**

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September 17, 2003**1648**
U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	Furata et al, "Capture of an early fusion-active conformation of HIV-1 gp41", Nature Struct. Biol. 5:276 (1998)
	LaCasse et al, "Fusion-Competent Vaccines" Broad Neutralization of Primary Isolates of HIV", Science 283:357 (1997)
	Boots et al, "Anti-Human Immunodeficiency Virus Type 1 Human Monoclonal Antibodies that Bind Discontinuous Epitopes in the Viral Glycoproteins Can Identify Mimotopes from Recombinant Phage Peptide Display Libraries", AIDS Research and Human Retroviruses 13(18):1549-1559 (1997)
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DOCUMENT			DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
		WO 95/29700	11/1995	PCT				
		WO 97/14436	4/1997	PCT				
		WO 93/15750	8/1993	PCT				
		WO 02/024149	3/2002	PCT				
		WO 01/56355	8/2001	PCT				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

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Form PTO-FB-A820 (Also PTO-1449)

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	Rimsky et al, "Determinants of Human Immunodeficiency Virus Type 1 Resistance to gp41-Derived Inhibitory Peptides", Journal of Virology 72(2):986-993 (1998)
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	Cormier et al, "Specific interaction of CCR5 amino-terminal domain peptides containing sulfotyrosines with HIV-1 envelope glycoprotein gp120", PNAS 97(11):5762-5767 (2000)
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WO 94/15638	7/1994	WIPO			
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	Devico et al, "Covalently Crosslinked Complexes of Human Immunodeficiency Virus Type 1 (HIV-1) gp120 and CD4 Receptor Elicit a Neutralizing Immune Response That Includes Antibodies Selective for Primary Virus Isolates", Virology 218:258-263 (1996)
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